

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

PAR PHARMACEUTICAL INC. and ENDO  
PAR INNOVATION COMPANY, LLC,

*Plaintiffs,*

V.

ALKEM LABORATORIES LTD.,

*Defendant.*

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Civil Action No. 2:23-cv-00400-JRG-RSP  
(LEAD CASE)

V.

MANKIND PHARMA LIMITED,

*Defendant.*

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Civil Action No. 2:23-cv-00399-JRG-RSP  
(MEMBER CASE)

**P.R. 4-3 JOINT CLAIM CONSTRUCTION STATEMENT**

Pursuant to P.R. 4-3 and the Docket Control Order the Court has entered in this case, Plaintiffs Par Pharmaceutical Inc. and Endo Par Innovation Company, LLC (collectively “Plaintiffs” or “Par”) and Defendants Alkem Laboratories Ltd. (“Alkem”) and Mankind Pharma Limited (“Mankind”) (collectively, “Defendants”) file this joint claim construction statement.

The claim construction hearing currently set for December 5, 2024 is set to address, to the extent necessary, asserted U.S. Patent Nos. 11,717,524 (“524 patent”) and 11,779,587 (“587 patent”).

### **I. P.R. 4-3(a) Agreed Claim Constructions**

The parties have not agreed to any claim constructions.

## II. P.R. 4-3(b) Proposed Constructions for Terms in Dispute

See Exhibit A for a chart showing the parties' proposed constructions with intrinsic and extrinsic evidence supporting such constructions. All parties reserve the right to rely upon any intrinsic or extrinsic evidence identified by any other party, and any evidence obtained through claim construction discovery. In addition, each party reserves the right to amend, correct, or supplement its claim construction positions and supporting evidence in response to any change of position by any other party, or for other good cause.

**III. P.R. 4-3(c) Anticipated Length of Time for Claim Construction Hearing**

The parties propose that each side receive 90 minutes for oral argument on claim construction issues. Thus, the parties anticipate the claim construction hearing to last no more than 3 hours.

**IV. P.R. 4-3(d) Anticipated Witnesses at the Claim Construction Hearing**

No party will call any live witnesses at the claim construction hearing. As identified in Exhibit A, the parties may submit expert declarations from various experts with the claim construction briefings.

**V. P.R. 4-3(e) Other Issues to be Addressed at Claim Construction Prehearing Conference**

The parties are not aware of any other issues at this time that might be appropriately addressed at a prehearing conference prior to the Claim Construction Hearing.

Dated: September 19, 2024

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Dated: September 19, 2024

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing document was served on all counsel of record via electronic mail in accordance with Local Rule CV-5(d) on this 19th Day of September 2024.

/s/Martin J. Black  
Martin J. Black